

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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NEW YORK STATE ASSEMBLYWOMAN  
DIANA C. RICHARDSON and NEW YORK  
STATE SENATOR ZELLNOR Y. MYRIE,

**STIPULATION AND  
ORDER OF  
SETTLEMENT OF  
ATTORNEYS' FEES,  
EXPENSES, AND COSTS**

Plaintiffs,

21-cv-3609 (LDH)(SJB)

-against-

CITY OF NEW YORK, ET AL.,

Defendants.  
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**WHEREAS**, plaintiffs Diana C. Richardson and Zellnor Y. Myrie (hereinafter “plaintiffs”) commenced this action by filing a complaint on or about June 29, 2021—as well as an amended complaint on or about April 11, 2022—alleging that defendants City of New York, Bill De Blasio, Dermot F. Shea, Rodney Harrison, Joseph B. Taylor, Solomon Jacobs, Jessica Clinton, Jorge Perez, Giovanni Calderon, Harry Kerr, Michael Kovalik, Max Bermudez, Andrew Ventrella, Michael A. Ciota, Eric Olfano (hereinafter “defendants”) violated their federal civil and state common law rights; and

**WHEREAS**, defendants served plaintiffs with Offers of Judgment pursuant to Fed. R. Civ. P. 68 on or about February 8, 2023; and

**WHEREAS**, plaintiffs accepted defendants’ Offers of Judgment pursuant to Fed. R. Civ. P. 68 on or about February 22, 2023; and

**WHEREAS**, plaintiffs have assigned all of their rights to attorneys’ fees, expenses, and costs to their counsel at the law firm of Kaplan Hecker & Fink LLP; and

**WHEREAS**, counsel for defendants and counsel for plaintiffs desire to resolve the issue of attorneys' fees, expenses, and costs without further proceedings; and

**WHEREAS**, defendants have denied any and all liability arising out of plaintiffs' allegations;

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned, the attorneys of record for the respective parties to the above-captioned action, as follows:

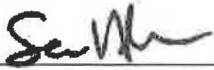
1. Defendant City of New York hereby agrees to pay plaintiffs' counsel, Sean Hecker, Esq., of the law firm of Kaplan Hecker & Fink LLP, the total sum of Three Hundred Eighty-Five Thousand (\$385,000.00) Dollars in full satisfaction of plaintiffs' claims for attorneys' fees, expenses, and costs. In consideration for the payment of Three Hundred Eighty-Five Thousand (\$385,000.00) Dollars, counsel for plaintiffs agree to release and discharge defendant City; its successors or assigns; and all past and present officials, employees, representatives, and agents of the City of New York or any entity represented by the Office of the Corporation Counsel, from any and all claims of attorneys' fees, expenses, and costs that were or could have been alleged in the aforementioned action.

2. Counsel for plaintiffs hereby agrees and represents that no other claims for attorneys' fees, expenses, or costs arising out of this action shall be made by or on behalf of plaintiffs in any application for attorneys' fees, expenses, or costs at any time.

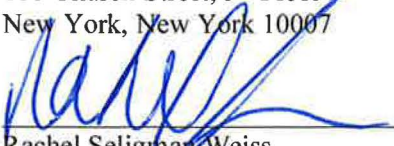
3. Nothing contained in this agreement concerning the issue of attorneys' fees, expenses, or costs shall be deemed to be an admission by the defendants that they have in any manner or way violated plaintiffs' rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules or regulations of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations, except to enforce the terms of this agreement.

4. This Stipulation and Order contains all the terms and conditions agreed upon by counsel for defendant and counsel for plaintiffs hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of attorneys' fees, expenses, or costs shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

KAPLAN HECKER & FINK  
*Attorneys for Plaintiffs*  
350 Fifth Avenue, 63<sup>rd</sup> Floor  
New York, New York 10118

By:   
Sean Hecker, Esq.  
*Attorney for Plaintiffs*

HON. SYLVIA O. HINDS-RADIX  
Corporation Counsel of the  
City of New York  
*Attorney for Defendants*  
100 Church Street, 3<sup>rd</sup> Floor  
New York, New York 10007

By:   
Rachel Seligman Weiss  
*Attorney for Defendants*

SO ORDERED:

Dated: New York, New York  
June 15, 2023

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HON. LASHAUN DEARCY HALL  
UNITED STATES DISTRICT JUDGE